

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 30, 2003**

DIVISION ONE

[illegible]

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Ortega, J.

B165385      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Robert P.

The appeal is dismissed.

Mallano, J.

We concur: Spencer, P.J.  
Ortega, J.

B156586      Naughton      (Not for Publication)  
v.  
Wells Fargo Bank, et al.

The order is reversed. The parties are to bear their own costs on appeal.

Mallano, J.

We concur: Spencer, P.J.  
Ortega, J.

September 30, 2003 (Continued)

DIVISION ONE (Continued)

B158248      People                      (Not for Publication)  
                 v.  
                 Rourke

The judgment is affirmed.

Mallano, J.

We concur:    Spencer, P.J.  
                 Ortega, J.

B163073      People                      (Not for Publication)  
                 v.  
                 Mary Farrar

The judgment is affirmed.

Mallano, J.

We concur:    Spencer, P.J.  
                 Ortega, J.

B163964      The People                      (Not for Publication)  
                 v.  
                 Joseph Lee Richard

The order under review is reversed.

Mallano, J.

We concur:    Spencer, P.J.  
                 Ortega, J.

September 30, 2003 (Continued)

## DIVISION ONE (Continued)

B156285      People                      (Not for Publication)  
v.  
Randy Foster, et al.

The judgments are affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Ortega, J.

B158395      Yasmina G. Martinez, a minor      (Not for Publication)  
v.  
Northridge Hospital Medical Center

The judgment is reversed and on remand the trial court is directed to deny the motion of Northridge Hospital Medical Center for summary judgment. Yasmina Martinez is entitled to costs on appeal.

Mallano, J.

We concur: Spencer, P.J.  
Ortega, J.

DIVISION THREE

B160935 People (Not for Publication)  
v.  
Soth, et al.

The judgments are affirmed. The clerk of the superior court shall correct Uy's abstract of judgment as indicated above.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION THREE (Continued)

B152072 People v. Angulo, et al. (Not for Publication)  
B158370 In Re Anthony Armend Angulo on Habeas Corpus

As to Angulo, the judgment is affirmed and the petition for writ of habeas corpus is denied. As to Camacho, the judgment is ordered modified to reflect a conviction of second degree murder, rather than first degree murder and, as so modified, affirmed. The clerk of the superior court shall prepare and forward to the Department of Corrections an amended abstract of judgment.

Klein, P.J.

We concur: Croskey, J.  
Aldrich, J.

B159294 People (Certified for Publication)  
v.  
Pinkston

The judgment is affirmed.

Croskey, J.

I concur: Aldrich, J.  
I dissent: Klein, P.J. (Opinion)

B159605 People (Not for Publication)  
v.  
Jenkins

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.



DIVISION THREE (Continued)

B161011      Zenith Insurance Company      (Not for Publication)  
v.  
The County of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur:    Kitching, J.  
                 Aldrich, J.

B159542      Nicole Kenyon      (Not for Publication)  
v.  
Joel Figueroa, et al.

The judgment is affirmed.

Aldrich, J.

We concur:    Klein, P.J.  
                 Croskey, J.

B155492      Randy Walter  
v.  
Kia Motors America, Inc., etc., et al.

Filed order vacating submission order of June 18, 2003. Due to the press of other court business and the complexity of the issues in this case, additional time is needed to complete and file the opinion in this matter. Cause resubmitted.

## DIVISION FOUR

B162239 Natural Balance Pet Foods, Inc. (Not for Publication)  
v.  
Chenango Pet Foods, Inc.

The judgment is modified by deleting \$30,293 in prejudgment interest awarded to Natural Balance. In all other respects, the judgment is affirmed. Each party is to bear its own costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

DIVISION FIVE

B160207 People (Not for Publication)  
v.  
Raul Gonzalez, et al

The judgment is affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

## DIVISION SIX

B162597      Godfrey  
v.  
California Youth Authority  
State Personnel Board

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B162562     People  
              v.  
              Castaneda

Filed order denying petition for rehearing.

DIVISION EIGHT

B158878     People                                 (Not for Publication)  
              v.  
              Coddie

The judgment of the trial court is affirmed.

Cooper, P.J.

We concur: Rubin, J.  
              Boland, J.

B153932     Avila, et al.                                 (Certified for Publication)  
              v.  
              Jado Properties, Inc.

The judgment is affirmed in part and reversed in part. The grant of summary adjudication in favor of Steven's on Appellants' cause of action for fraud is affirmed. The grant of summary adjudication on Appellants' causes of action for negligence and premises liability is reversed. The trial court is directed to enter an order granting summary adjudication of Appellants' cause of action for fraud. Each party to bear his or its own costs.

Cooper, P.J.

We concur: Rubin, J.  
              Boland, J.



September 30, 2003 (Continued)

## DIVISION EIGHT (Continued)

B154240      Gritz      (Not for Publication)

V.

Gritz

In re Marriage of RICHARD M. and CYNTHIA CARLOMANGO GRITZ

The order reimbursing Husband \$388,000 for his separate property contribution is affirmed. The order for reimbursement of Husband's excess post-separation payments on the Topanga property division in light of this opinion. Costs and attorney's fees on appeal are to be determined by the trial court.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

B153592 Eilken, (Not for Publication)

V.

Charlston, Revich &amp; Williams, et al.

The order granting the special motion to strike is affirmed. Respondents shall recover costs and attorney's fees on appeal, the amount of which shall be determined by the trial court.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

B158825 People (Not for Publication)

V.

Casas, et al.

The judgments are affirmed.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

DIVISION EIGHT (Continued)

B159610 Goldsmith & Burns (Not for Publication)

v.

Athans

Estate of JERRY COSTAS ATHANS, Deceased.

The judgment is affirmed. Each party is to bear its own costs on appeal.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

B160983 Decoud (Not for Publication)

v.

Univision Communications et al.

The order issued August 1, 2002 is affirmed in part and reversed in part. The trial court is directed to enter a new order dismissing all of Decoud's causes of action except breach of contract and promissory estoppel and dismissing UCI and UNLP. Univision is entitled to costs on appeal.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

B158604 People v. Berreondo (Not for Publication)

B161876 In re Edy Berreondo on Habeas Corpus.

The jury's true findings on the Penal Code section 186.22, subdivision (b)(1) allegations are reversed. The case is remanded to the trial court for resentencing consistent with this opinion. In all other respects the judgment is affirmed. Following resentencing, the trial court must enter a new abstract of judgment. The petition for writ of habeas corpus is denied.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

DIVISION EIGHT (Continued)

B159167      Higgins      (Not for Publication)

v.  
Charlie's Live Entertainment, et al.

The judgment is reversed. Appellant to recover costs on appeal.

Rubin, J.

We concur:    Cooper, P.J.  
                     Boland, J.

B157575      People      (Not for Publication)

v.  
Sims

The judgment is affirmed.

Cooper, P.J.

We concur:    Rubin, J.  
                     Boland, J.

B156620      Bodine      (Not for Publication)

v.  
Wawanesa General Insurance Company

The judgment is reversed, and the matter is remanded to the trial court for further proceedings including, if and when appropriate, a determination of attorney fees on appeal.

Cooper, P.J.

We concur:    Rubin, J.  
                     Boland, J.